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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NICOLE PARLA,
Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security
Defendant.

CASE NO. 4:12-cv-00373-CW

STIPULATION AND ~~PROPOSED~~ ORDER
FOR REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g), AND REQUEST
FOR ENTRY OF JUDGMENT FOR
PLAINTIFF AND AGAINST DEFENDANT

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that this action be remanded to the Commissioner of Social Security for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), sentence four.

On remand, the Administrative Law Judge (ALJ), will reconsider the medical evidence and reevaluate the Plaintiff's residual functional capacity without reference to consultative examiner Dr. Bunsri T. Sophon's opinion, and if necessary, order a new consultative examination or medical expert testimony. The ALJ will also associate the prior claim file with this claim, inquire as to the Plaintiff's alleged onset date, and if necessary, apply the medical improvement standard set forth by 20 C.F.R. § 404.1594.

The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, Commissioner of Social Security, reversing the final decision of the

Commissioner.

Respectfully submitted,

Dated: August 1, 2012

By: s/ Katherine Siegfried

[as e-authorized via email]
KATHERINE SIEGFRIED,
Attorney for Plaintiff

Dated: August 1, 2012

MELINDA L. HAAG
United States Attorney

By: s/ David Lerch
DAVID LERCH
Special Assistant United States Attorney
Attorneys for Defendant

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated 8/2/2012


THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE